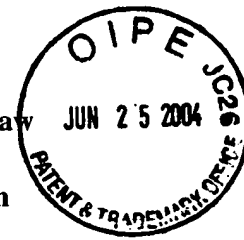


RCE/2155 #
41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Samuel M. Prabhakar et al. : Date: June 22, 2004
Group Art Unit: 2155 : IBM Corporation
Examiner: Kevin Bates : Intellectual Property Law
Serial No.: 09/728,977 : Dept. 917, Bldg. 006-1
Filed: December 4, 2000 : 3605 Highway 52 North
Title: WEARABLE DATA DEVICE FOR USE : Rochester, MN 55901
IN A WEARABLE DATA NETWORK



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JUN 30 2004

Technology Center 2100

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 CFR § 1.114 of the above-identified application.

1. SUBMISSION REQUIRED UNDER 37 CFR § 1.114

- a. ☐ Previously submitted
i. ☐ Consider the amendment(s)/reply under 37 CFR § 1.116 previously filed on _____ (any unentered amendment(s) referred to above will be entered).
ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
iii. ☐ Other _____
- b. ☒ Enclosed
i. ☒ Preliminary Amendment 06/28/2004 YPOLITE1 00000021 090465 09728977
ii. ☐ Affidavit(s)/Declaration(s) 01 FC:1801 770.00 DA
iii. ☐ Information Disclosure Statement (IDS)
iv. ☐ Other _____

2. MISCELLANEOUS

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; fee under 37 CFR § 1.17(i) required.)
b. ☐ Other _____

3. FEES (the RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed)

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0465.
i. ☒ \$770.00 (RCE fee required under 37 CFR § 1.17(e))
ii. ☐ _____ (Extension of time fee (37 CFR § 1.136 and 1.17))
iii. ☐ _____ (Other)

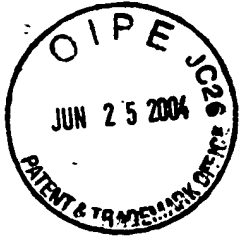
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (print/type) Steven W. Roth Registration Number (Attorney/Agent): 34,712
Signature *Steven W. Roth* Date: June 22, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on: June 22, 2004

Name (print/type) Debra A. Peterson
Signature *Debra A. Peterson* Date: June 22, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Samuel M. Prabhakar et al. : Date: June 22, 2004
Group Art Unit: 2155 : IBM Corporation
Examiner: Kevin Bates : Intellectual Property Law
Serial No.: 09/728,977 : Dept. 917, Bldg. 006-1
Confirmation No.: 4005 : 3605 Highway 52 North
Filed: December 4, 2000 : Rochester, MN 55901
Title: WEARABLE DATA DEVICE FOR USE
IN A WEARABLE DATA NETWORK

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Commissioner for Patents
P.O. Box 1450
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Dear Sir:

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UNDER 37 C.F.R. 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 22, 2004.

Debra A. Peterson
Debra A. Peterson

PRELIMINARY AMENDMENT

Please amend the above-identified application as follows:

In the Claims

Please amend claim 1 and add claim 16 as follows: